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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,573	10/710,573 07/21/2004		Richard Q. Yamanaka		4572
46200	7590	06/21/2005		EXAMINER	
RICHARD	YAMAN	IAKA		LEGESSE	, NINI F
P.O. BOX 9	917				
SAN JOSE, CA 95157			·	ART UNIT	PAPER NUMBER
				3711	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply		Application No.	Applicant(s)						
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. I the partie for reply specified above is less than thirty (30) days, a reply within the standary minimum of being (30) days will be considered timely. I the partie for reply specified above is less than thirty (30) days, a reply within the standary minimum of being (30) days will be considered timely. I the partie for reply specified above is less than thirty (30) days, a reply within the standary minimum of being (30) days will be considered timely. I the partie for reply specified above is less than thirty (30) days, a reply within the standary minimum of being (30) days will be considered timely. I the partie for reply specified above is less than thirty (30) days, a reply within the standary minimum of being (30) days will be considered timely. I the partie for reply specified the considered time for reply within the standary minimum of the partie of the communication. I the partie of the partie of the considered timely (10) days, a replaced the specified to be considered timely. I this specified is the partie of the considered timely (10) days will be a considered timely. I this specified to the partie of the specified to the considered timely. I this specified to the partie of the considered timely (10) days and the specified to the considered timely. I this specified to the partie of the partie of the partie of the considered timely. I this specified to the considered timely (10) days are subjected to by the Examiner. Application Papers I the drawing(s) filed on is/are withdrawn from consideration. Application Papers I the drawing(s) filed on is/are objected to by the Examiner. Application Papers I the drawing(s) filed on is/are objected to by the		10/710,573	YAMANAKA, RICHARD Q.						
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DETAILED ACTION

Specification

The abstract of the disclosure is objected to because it is more than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ward (US Patent No. 3,558,101).

Ward discloses a lightweight and easily portable alignment device (see abstract and Fig. 1). Regarding the intended use set forth in the preamble, the Ward device is capable of being used as a putting line aiming/alignment device. Please note that the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward (US Patent No. 3,558,101).

Regarding claim 1, Ward discloses a housing (20) with an internal extendable/retractable line mechanism (see fig. 2), wherein said housing is staked into position, and the device is lightweight, portable, and easily assembled and disassembled (see Fig. 1). Ward discloses the invention as recited above but does not discloses a housing that simulates a golf ball. However, at the time the invention was made, it would have been an obvious to provide any type of shape for the housing including the shape of a golf ball because Applicant has not disclosed that the claimed shape provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art furthermore would have expected Applicant's invention to perform equally well with either the "box" shaped housing or the claimed housing shape that simulates a golf ball because both types of housing perform the same function of containing a tensioning device. With regards to the intended use set forth in the preamble, the Ward device is capable of being used as a putting line aiming/alignment device. Please note that the manner in which a claimed apparatus is

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intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

Regarding claim 2, Ward discloses the housing (20) stake (10) and opposing stake (12) are placed in to the ground at some length (see Fig. 1).

Regarding claim 3, the extendable/retractable mechanism that is permanently affixed to the internal component of said housing is element 48, the spool in shown on Fig. 2.

Regarding claims 4-6, line 18 is composed of a string (see column 2, line 52). It is noted that the Ward device meets the intended use recitations of the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nini F. Legesse whose telephone number is (571) 272-4412. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (571) 272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Nini F. Legesse

06/17/05